

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

<p>MATTHEW WALLACE, derivatively on behalf of CO-DIAGNOSTICS, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>DWIGHT H. EGAN, REED L. BENSON, BRENT SATTERFIELD, EUGENE DURENARD, EDWARD L. MURPHY, JAMES NELSON, and RICHARD S. SERBIN,</p> <p style="text-align: center;">Defendants, and</p> <p>CO-DIAGNOSTICS, INC.,</p> <p style="text-align: center;">Nominal Defendant.</p>	<p>Case No. 2:20-cv-00836-JNP</p> <p>JOINT MOTION FOR APPROVAL OF STIPULATION</p> <p>Judge Jill N. Parrish</p>
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Nominal Defendant Co-Diagnostics, Inc. (“Nominal Defendant”), Individual Defendants Dwight H. Egan, Reed L. Benson, Brent Satterfield, Eugene Durenard, Edward L. Murphy, James Nelson, and Richard S. Serbin (collectively “Individual Defendants”), and Plaintiff MATTHEW WALLACE (“Plaintiff”) (collectively, the “Parties”) jointly move the Court for approval of the Parties’ stipulation extending the time for Nominal Defendant and Individual Defendants to answer or otherwise respond to the Complaint to and including March 5, 2021.

FACTS

1. Plaintiff commenced this derivative action on November 24, 2020;
2. Co-Diagnostics, Inc. has been served, and its answer is currently due on January 20, 2021.

3. As of the date of this motion, the Individual Defendants have not been served.

4. Pursuant to Federal Rule of Civil Procedure 12, the Parties agree to extend Nominal Defendants and Individual Defendants' time to answer or otherwise respond to the complaint to and including March 5, 2021.

STIPULATION

The Parties stipulate and agree as follows:

A. The time for Nominal Defendant and Individual Defendants to answer or otherwise respond to the complaint is extended to and including March 5, 2021;

B. The Nominal Defendant and Individual Defendants waive any defenses relating to ineffective service of process or jurisdiction.

CONCLUSION

The Parties respectfully request that this motion be granted in its entirety. A proposed order is attached hereto as Exhibit "A".

Dated: January 20, 2021

**By: /s/ Zachary Weyher (signed by
Ryan B. Hancey with permission
via email)**

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of January 2021, a true and correct copy of the foregoing JOINT MOTION FOR APPROVAL OF STIPULATION and PROPOSED ORDER was filed via the CM/ECF system, and accordingly, delivered to all parties of record.

By: /s/ Ryan B. Hancey

Ryan B. Hancey, Esq.,

EXHIBIT A

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<p>MATTHEW WALLACE, derivatively on behalf of CO-DIAGNOSTICS, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>DWIGHT H. EGAN, REED L. BENSON, BRENT SATTERFIELD, EUGENE DURENARD, EDWARD L. MURPHY, JAMES NELSON, and RICHARD S. SERBIN,</p> <p style="text-align: center;">Defendants, and</p> <p>CO-DIAGNOSTICS, INC.,</p> <p style="text-align: center;">Nominal Defendant.</p>	<p>[PROPOSED] ORDER GRANTING JOINT MOTION FOR APPROVAL OF STIPULATION TO EXTEND TIME TO ANSWER</p> <p>Civil No. 2:20-cv-00836-JNP</p> <p>Judge Jill N. Parrish</p>
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THIS MATTER is before the Court on Plaintiff and Defendants’ Joint Motion for Approval of Stipulation to Extend Time to Answer (“Motion”). This Court, having reviewed the Motion and being otherwise fully versed in the premises, states the Motion is hereby GRANTED. The time for Defendants, including Nominal Defendant, to answer or otherwise respond to the Complaint shall be extended to and include March 5, 2021.

Signed January ___, 2021.

BY THE COURT:

HON. JILL N. PARRISH, U.S.D.J.